

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

STEVEN SCOTT, Surviving Husband of
ELIZABETH SUZANNE SCOTT,
Deceased,

Plaintiff,

vs.

GEORGE M. MILLER, JR., M.D.,
GEORGE M. MILLER, JR., M.D., P.C.,
f/k/a BARIATRIC SURGERY CLINIC, P.C.,
and CENTENNIAL MEDICAL CENTER,

Defendants.

CIVIL ACTION FILE NO. 3-04-0990

JUDGE HAYNES

*OVER 500
The motion
is not
will be
48700
3-3-08*

**PLAINTIFF'S MOTION TO STRIKE THE TESTIMONY OF
DR. PHILLIP J. FISCHER, II, M.D.**

Now Comes Plaintiff and moves this Court to strike the testimony of Dr. Phillip J.

Fischer, II, M.D. Dr. Fischer's testimony will be an exact word for word for word duplicate of Defendants' two other expert witnesses, and as such is redundant and unfairly prejudicial to the Plaintiff. Additionally, Dr. Fischer has not shown that he meets the requirements of T.C.A. § 29-26-115(a)(1) in that he has not shown he has knowledge of the standard of care in Nashville, TN or that he has knowledge of the standard of care in a community that is shown to be similar to Nashville, TN.

This motion is accompanied by a Memorandum in Support of Plaintiff's Motion to Strike the Testimony of Dr. Phillip J. Fischer, II, M.D.

(Signature on following page)